

REMARKS

The Office Action mailed March 28, 2007, has been carefully reviewed and the following remarks have been made in consequence thereof.

Claims 1-6 are pending in this application. Dependent Claim 5 is subject to an Election of Species Requirement, and dependent Claim 6 is subject to an Election of Species Requirement.

Applicants and the undersigned wish to express their appreciation to the Examiner for the courtesies he extended during a telephone interview that occurred on April 11, 2007. During the interview, the Office Action dated March 28, 2007, was discussed. The Examiner suggested that the undersigned call the Examiner's supervisor, Jack W. Keith. The undersigned called Mr. Keith and discussed the restriction requirement imposed in the Office Action. During the interview, Mr. Keith upheld the restriction requirement. The undersigned indicated that a response to the Office Action would be filed.

Regarding the Election of Species requirement of Claim 5, a restriction drawn to the material, either a nickel alloy, a titanium alloy, or an iron alloy, is imposed. In response, Applicants provisionally elect, with traverse, to prosecute the invention with a titanium alloy. The election made herein is with traverse for at least the following reasons.

Regarding the Election of Species requirement of Claim 6, a restriction drawn to the component, either a compressor rotor blade or a turbine rotor blade, is imposed. In response, Applicants provisionally elect, with traverse, to prosecute the invention with a compressor rotor blade. The election made herein is with traverse for at least the following reasons.

In making this election, Applicants respectfully submit that the U.S. Patent Office has unnecessarily divided up a single invention into the groups contained in the restriction requirement. Applicants fail to find factual and statutory support for Examiner's restriction required and requests that the restriction be withdrawn.

Moreover, considering that independent Claim 1, a method of replacing a portion of a gas turbine engine rotor blade, does not delineate between the material used in replacing a portion of the rotor blade, there is no apparent reason why a full and complete patent search of one of the materials would not encompass the other materials. Similarly, considering that

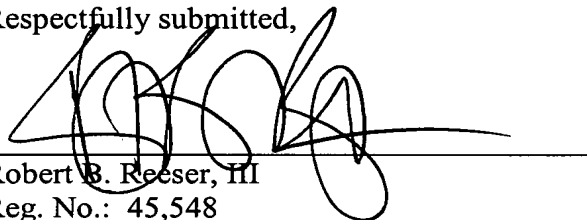
independent Claim 1, a method of replacing a portion of a gas turbine engine rotor blade, does not delineate between the component used in the method, there is no apparent reason why a full and complete patent search of one component would not encompass the other component. It is therefore not evident how or why the present election requirement in any way simplifies, aids, or advances the prosecution of the present application.

The Examiner has not provided any physical evidence of any such burden on searching including any references to the amount of time to be spent searching, estimated number of U.S. patents or references to be reviewed or to any amount of time to be spent in analyzing any such search hits. Further, the Examiner has shown no undue burden in searching all elements of each of Claims 1-6, including the aforementioned elements in dependent Claims 5 and 6. In this absence, Applicants assert that there is no undue burden in any searching by the Examiner. It would appear that searching of all elements of all claims in the invention would be a more practical, useful, and efficient use of resources.

Requirements for election are not mandatory under 35 U.S.C. 121, and Applicants accordingly request reconsideration and withdrawal of the election requirement. To the extent that the election requirement is maintained, however, Applicants request that a proper basis for the election requirement be established on the record. Applicants also request another full and fair opportunity for Applicants to respond to the requirement if and when an adequate basis therefore is set forth.

In view of the foregoing remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action with respect to all the pending claims is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. B. Reeser, III', written over a horizontal line.

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